

Discipline...

Kawkab al-Sharq (Hadith al-Masa'), 19 April 1934

There is no doubt that the most conspicuous of the flaws and deficiencies by which the human being is distinguished — if it is permissible to say that he is distinguished by flaws and deficiencies — is that he cannot read the unseen, nor foretell what the conscience of days and nights conceals of events and tribulations. For if the human being were freed from this flaw, and raised above this deficiency, and were granted the power never to complete a day without knowing what tomorrow would bring him, he would avoid a great deal of evil, and be spared forms and varieties of horrors and catastrophes.

I dictate this brief introduction to this brief essay in elegy for our brothers, our friends, and our teachers — for they are worthy of elegy, worthy of compassion, and worthy of the mercy that pours over them from the hearts of the good.

It is not necessary that all people be judges who blame the wrongdoer when he does wrong and punish the transgressor when he transgresses against himself or against others. It is better that among them there be the judges who carry the books of ethics and measure the actions of people by these moral standards — praising what deserves praise and condemning what deserves condemnation — and that among them there be the merciful and the good who pity the wrongdoer and are moved to compassion for him, consoling him not only for his wrongdoing but for its consequences as well.

And I wish to be among these latter — to console our brothers, our friends, and our teachers the lawyers for this great sin they have committed, and for the grave consequences to which they are exposed. They have committed a great sin and they face great punishment; and had they been granted the ability to foretell the unseen and to read in the conscience of days, they would not have committed this sin and would not have been exposed to this punishment.

The sin is their election of Professor Makram as their syndic; and the punishment is these terrors that have been poured over them in torrents for months. Had God opened the way for them and inspired in them foreknowledge of what was to be, they would have come to their senses and preferred the path of moderation and restraint, and shrunk from

throwing themselves into the mouths of lions. The lions, naturally, are the ministers, who appear to want to devour these poor lawyers whole, to digest them entirely, to return them to the humility that befits them, and to wean them from the arrogance in which they have been so immoderate.

Had the lawyers read in the conscience of days, they would have turned away from Makram — indeed, had Makram himself read in the conscience of days, he would have turned away from himself, and been too jealous of himself and his colleagues to expose them to these grave terrors that are beyond their endurance and beyond their power to bear.

Look at them — they had barely begun thinking of electing Makram before the warning came to them, and what a warning! And the caution reached them, and what a caution! But they were deceived by their own souls, and thought kindly of the Ministry, and assumed that the Ministry's denunciations were nothing but intimidation, and its cautions nothing but bluster, and that they would be able to finish what they had begun without harm befalling them.

So they went forward to what they desired and completed what they had begun; but they had barely finished with the election before the earth shook under them, the sky trembled above them, and the wind howled around them — and a law was being prepared, then presented, then studied, then promulgated, all in the shortest and swiftest time.

What is remarkable is that these lawyers, who cannot read the unseen and cannot foretell what is hidden in the conscience of days, were not frightened by this earthquake, were not startled by this upheaval, were not shaken by these tempests, and went no further than believing that the Ministry was toying and playing with them, and deploying with them one of those arts used for whiling away time, diverting care, and amusing souls.

So they met — would that they had not met — and resolved — would that they had not resolved — that the law that had been promulgated was not binding on them, because it was contrary to the Constitution, and that they would therefore neither submit to it nor implement it, since they were the guardians of justice and its defenders, and it did not befit them to submit to injustice.

Then they agreed — would that they had not agreed — that their first election was valid, that they were not in need of a new election, and

that Makram remained their syndic after the promulgation of the law just as he had been their syndic before the promulgation of the law.

At that point the earth shook with a redoubled quaking, the sky trembled with a redoubled trembling, and the wind howled with a redoubled howling.

I am not jesting or exaggerating in this — for if one law makes the earth quake, the sky tremble, and the wind howl once, two laws make the earth quake, the sky tremble, and the wind howl twice.

The Ministry of Justice had prepared two laws: one dissolving the Bar Association immediately, the other regulating the affairs of lawyers for ever and ever, for the duration of the ages, and until God inherits the earth and all upon it. No wonder, then, that the quaking of the earth, the trembling of the sky, and the convulsing of the wind were redoubled.

These grave events were so serious and so alarming that they distracted the Ministry from a great many matters, and even deceived the Ministry about a great many matters as well. The Ministry thought it had resolved the Mixed Courts crisis, when in fact it had not resolved it, but had added to its complexity — and the source of this is none other than the storms and earthquakes stirred up around the lawyers.

Then the two laws arrived before the Council of Ministers — and God be praised who can bring the wrathful back to clemency, the powerful back to pardon, and the harsh back to mercy. And God be praised who inspired the Council of Ministers to shelve one of the two laws and content itself with a single law, studying it and approving it and preparing to present it to Parliament. Even so — had the lawyers known what the days held in store for them, they would not have exposed themselves to the terrors of this new law.

For the new law is truly terrifying, truly alarming. I do not know how the lawyers sleep the night — or part of the night — and how the lawyers find time for their cases after learning some of what it contains.

What do you think of a law that wishes to prohibit lawyers from working in journalism? It wishes to prohibit them from being editors-in-chief or paid editors on political newspapers. Do you think such a law can be patiently endured, or that eyelids can be closed with it in place? Lawyers excluded from political journalism in the twentieth century! Is this not among the most remarkable and most charming

things known to men? Yes it is. And its charm and remarkableness are precisely what drove our Ministry to it.

For our Ministry does not like to be like other ministries, nor for Egypt to be like other countries — it is a distinguished ministry, for a distinguished country, and so everything that issues from it must be distinguished.

In other countries, people insist that journalists be drawn from among lawyers, because they know jurisprudence and the law, and with this knowledge can steer newspapers away from stumbling in what they do and say. But in Egypt, lawyers must be kept away from journalism — because journalism must always stumble, and if it stumbles it is exposed to punishment, and what is journalism worth if it is not exposed to punishment? And journalists are people who want to be distinguished — and what distinction resembles punishment and the exposure to it morning and evening?

The matter of this law is more charming and remarkable than all of this — for it does not prohibit journalists alone to lawyers, but also very nearly prohibits politics itself: the Bar Association ought not to concern itself with politics, and if it does it will be punished by dissolution. And what dissolution? A dissolution that will descend upon it from the Council of Ministers!

The meaning of this is that the Council of Ministers — which is a political body before anything else — is the one that rules on whether the Association has or has not engaged in politics. It rules on this with no appeal against its ruling, and passes judgment on this with no challenge to its verdict. It is sufficient for the Association to perform an act that runs counter to the Council of Ministers' inclination for it to be deemed engaged in politics and dissolved; it is sufficient for the Association to elect a man who does not please the Council of Ministers — like Makram, for example — for it to be deemed engaged in politics and dissolved.

This will most probably entail, in all likelihood, the assignment of an office, bureau, or department in the Ministry of Justice or the Council of Ministers, specifically for lawyers and their Association, so that the Ministry may always ascertain whether the Association is or is not engaged in politics.

Do you see that the lawyers were unable to foresee what evil awaited them when they defied the Ministry's order and refused to offer

it obedience and submission? Let them now taste these sweet fruits of that bitter dignity they preferred and jealously guarded. As if people cannot live unless they are honourable, and as if people cannot live unless they are proud!

How fiercely the lawyers cling to the old, how inclined they are to conservatism, how disdainful of renewal! Dignity, pride, refusal of humiliation, freedom of opinion, independence of conscience — all of this is talk that the lawyers go on about excessively, as if they do not know that it has become a matter for history, and that it has become unsuited to the conditions of time and place, as the grammarians say.

Let them enjoy their dignity now — for they will become, God willing, after the promulgation of the law, the most like schoolboys and pupils of any people: kept away from journalism and guarded from the dangers of politics, with surveillance tightening over what they say and do. And who knows — perhaps God will bless them with a Minister of Traditions who will shut their club and seal it with red wax, as the Minister of Traditions did with the university students and the University Students' Club.

Would that the lawyers had consulted me before embarking on what they embarked on — I would then have counselled them absolute submission and obedience without limit. For we live in days in which life cannot be set straight, souls cannot be at peace, and hearts cannot rest in their breasts — unless we take absolute submission and limitless obedience as our guiding principle: not, I say, for speech and action alone, but for thought as well.

But the lawyers did not consult me, and so from me they shall have only what I have to give — which is to pity them, to mourn for them, to be compassionate toward them, and to wish them from this day the success they have not found before: in this blessing that resembles no other blessing — the blessing of obedience and submission.

Taha Hussein

Kawkab al-Sharq, 19 April 1934